IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

W.A.No.699 of 2003

AGAINST THE JUDGEMENT IN O.P.NO.5791/2003 DATED 10/03/2003
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APPELLANTS: PETITIONERS:-
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1. INDIAN MEDICAL ASSOCIATION,
   COCHIN BRANCH, I.M.A. HOUSE,
   WARRIAM ROAD, ERNAKULAM

2. K.K.RAMACHANDRAN, CHARTERED ACCOUNTANT,
   PRESIDENT, WARRIAM ROAD RESIDENTS ASSOCIATION,
   'KRIPA', WARRIAM ROAD, ERNAKULAM, COCHIN-16.

3. K.R.NAMBIAR, AMBILI, WARRIAM ROAD,
   ERNAKULAM, COCHIN-16.

BY ADV. SRI.T.P.KELU NAMBIAR (SR.)
SRI.K.T.SHYAMKUMAR

RESPONDENTS: RESPONDENTS:-
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1. REGIONAL TRANSPORT AUTHORITY,
   ERNAKULAM, REPRESENTED BY ITS SECRETARY.

2. DISTRICT TOURISM PROMOTION COUNCIL,
   ERNAKULAM REPRESENTED BY ITS CHAIRMAN,
   THE DISTRICT COLLECTOR, ERNAKULAM.

3. THE COMMISSIONER OF POLICE, ERNAKULAM.

BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

V.K.Bali,C.J. & S.Siri Jagan,J.

W.A.No.699 of 2003

Dated, this the 5th day of December, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

The prayer made in the petition, which has since been dismissed vide order dated 10.3.2003 passed by the learned Single Judge, reads as follows:

> "Call for the records relating to the decision taken by the 1st respondent to impose 'No Parking' restriction in the Northern Part of Warriam Road in Ernakulam City and quash the same by issuing a writ of certiorari or any other appropriate writ order or direction".

The learned Single Judge dismissed the petition following a Division Bench decision dated 24th July, 2002 passed in O.P.No.18799 of 2002. Learned counsel for the appellants says that the Division Bench decision is on the basis of different facts. Even if the contention of the learned counsel is accepted, yet we

do not find it to be a case that may be entertained and decided in writ jurisdiction of this Court. Surely, as to whether in a particular area 'No Parking' restrictions have to be placed or not is purely an administrative decision. The Court under Article 226 of the Constitution rarely interferes with such administrative decisions. No merits. Dismissed. C.M.P.Nos.2159 of 2003 and 2160 of 2003 does not survive.

V.K.Bali
Chief Justice

S.Siri Jagan
Judge

vku/-